

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**

**and the**  
**S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**  
**1362 McMillan Avenue, Suite 400**  
**Charleston, South Carolina 29405**

**REGULATORY DIVISION**  
**Refer to: P/N #2005-1W-093-P**

**December 16, 2005**

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**COOSAW FARMS, LLC**  
**c/o Bill Sanford**  
**12-B RUTLEDGE AVENUE**  
**CHARLESTON, SC 29401**

for a permit to excavate, place fill material and install water control structures in 3 managed impoundments located adjacent to

**WIMBEE CREEK AND SOUTH WIMBEE CREEK**

at locations near the Briars and Dale Community in Beaufort County, South Carolina.

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, 16 JANUARY 2006**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work at project site #1 consists of constructing 750' and 180' long interior earthen dikes and the installation of a water control structure within an existing managed tidal impoundment. Also proposed is the excavation of a 750' long interior ditch that will entail the removal of 55 cubic yards of material and will impact approximately 0.03 acres of wetlands.

At project site #2 the proposed work consists of the construction of an 1165' long dike with water control structure and the excavation of an 800' long interior ditch. The excavation of the ditch will entail the removal of 59 cubic yards of material and will impact approximately 0.04 acres of wetlands.

At project site #3 the proposed work consists of the construction of 280', 375' and 550' long interior dikes with 1 water control structure.

A total of approximately 10,000 cubic yards of material will be excavated from areas adjacent to the proposed new dikes for their construction. Approximately 2 acres of wetlands will be impacted by the excavation of the borrow ditches and approximately 2 acres impacted by new dike construction. Material excavated for the construction of interior ditches will be placed on existing embankments when possible and the remainder will be side cast in a manner so that no discernable change to existing ground elevations will occur. The interior ditching work is being accomplished to facilitate water management and manipulations. All work will be performed within existing intact functional impoundments. The purpose of this work is to improve the ability to manage water levels within the existing impoundments. In-turn, this will provide a more effectively managed wetland as high quality habitat for wetland dependent wildlife. An Impoundment Management Plan developed for the 3 projects is attached to this public notice as information.

**NOTE:** Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 4 acres of managed impounded wetlands associated with estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or

June 16, 2005

proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).


The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

  
Dean Herndon  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers

Denise Sanger  
Project Manager  
SCD/IEC-OC/EM



**Adjacent Property Owners**

1. Lightsey Brothers
2. Mildred Bowers
3. Danny Lesene
4. Chip Dobson

**PROPOSED ACTIVITY:** Interior Embankment

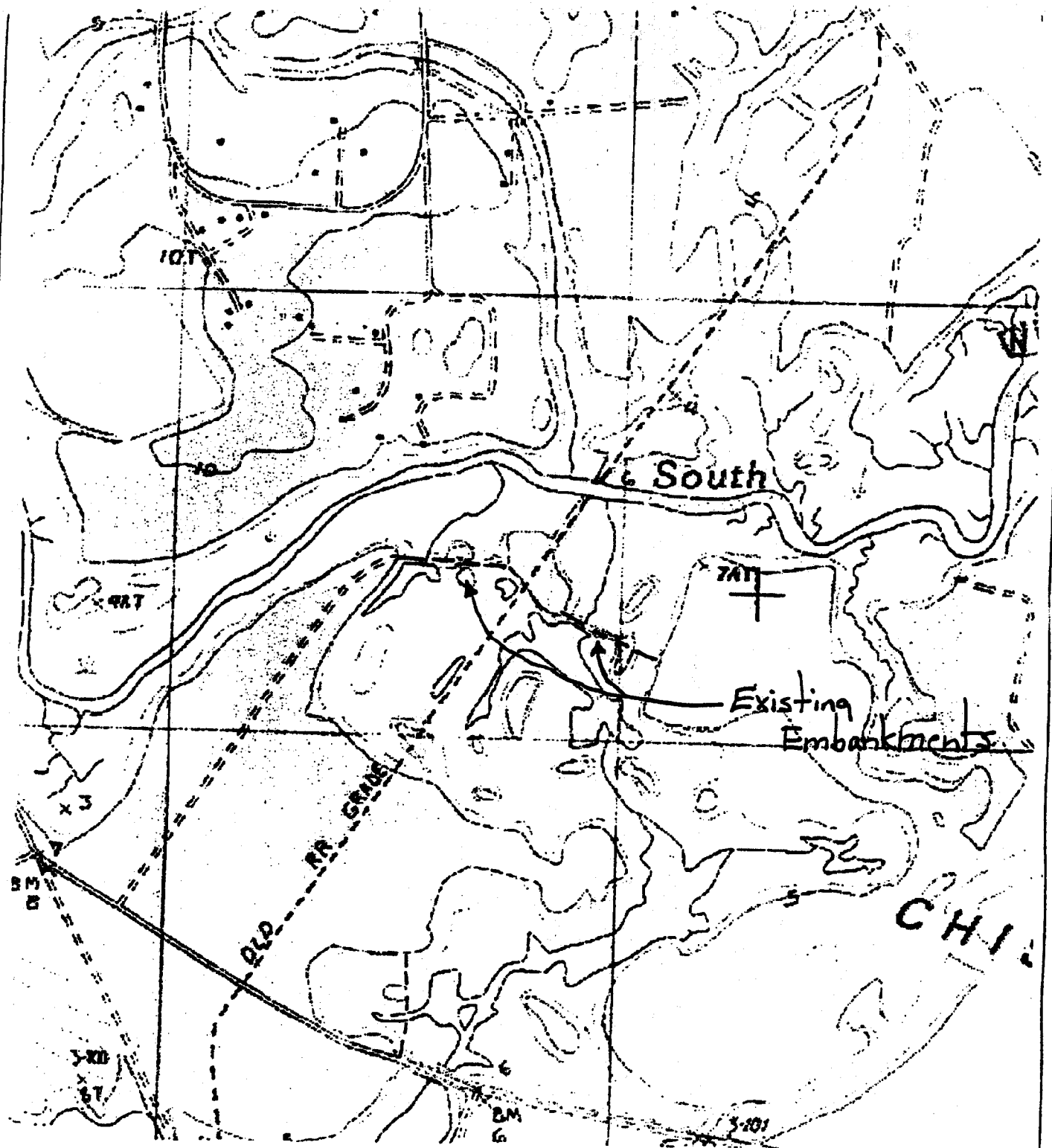
**APPLICANT:** Coosaw Farms, LLC

**COUNTY:** Beaufort

**DATE:** February 15, 2005  
**REVISED -** Nov 14, 2005

**STATE:** South Carolina

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### Project Area #1

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

**COUNTY:** Beaufort

**DATE:** February 8, 2005

**STATE:** South Carolina

**REVISED -** NOV. 14, 2005

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## Project Area #1

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

**COUNTY:** Beaufort

**DATE:** February 15, 2005

**STATE:** South Carolina

**REVISED:** Nov. 14, 2005

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**Adjacent Property Owners**

1. Nemours Foundation
2. Lightsey Brothers

*PROJECT AREA #2*

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

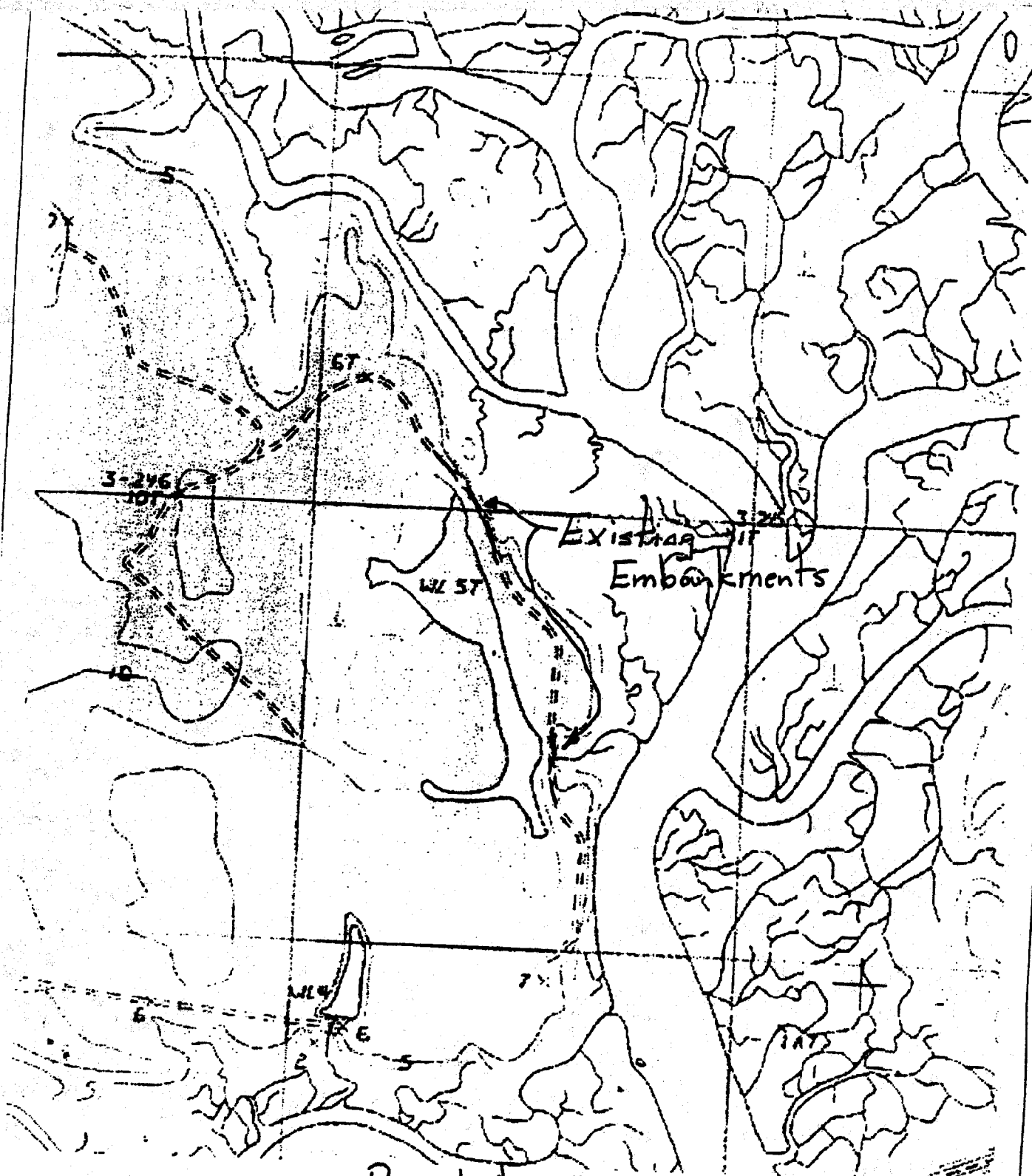
**COUNTY:** Beaufort

**STATE:** South Carolina

**DATE:** February 8, 2005

**REVISED:** NOV. 14, 2005

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**Project Area #2**

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

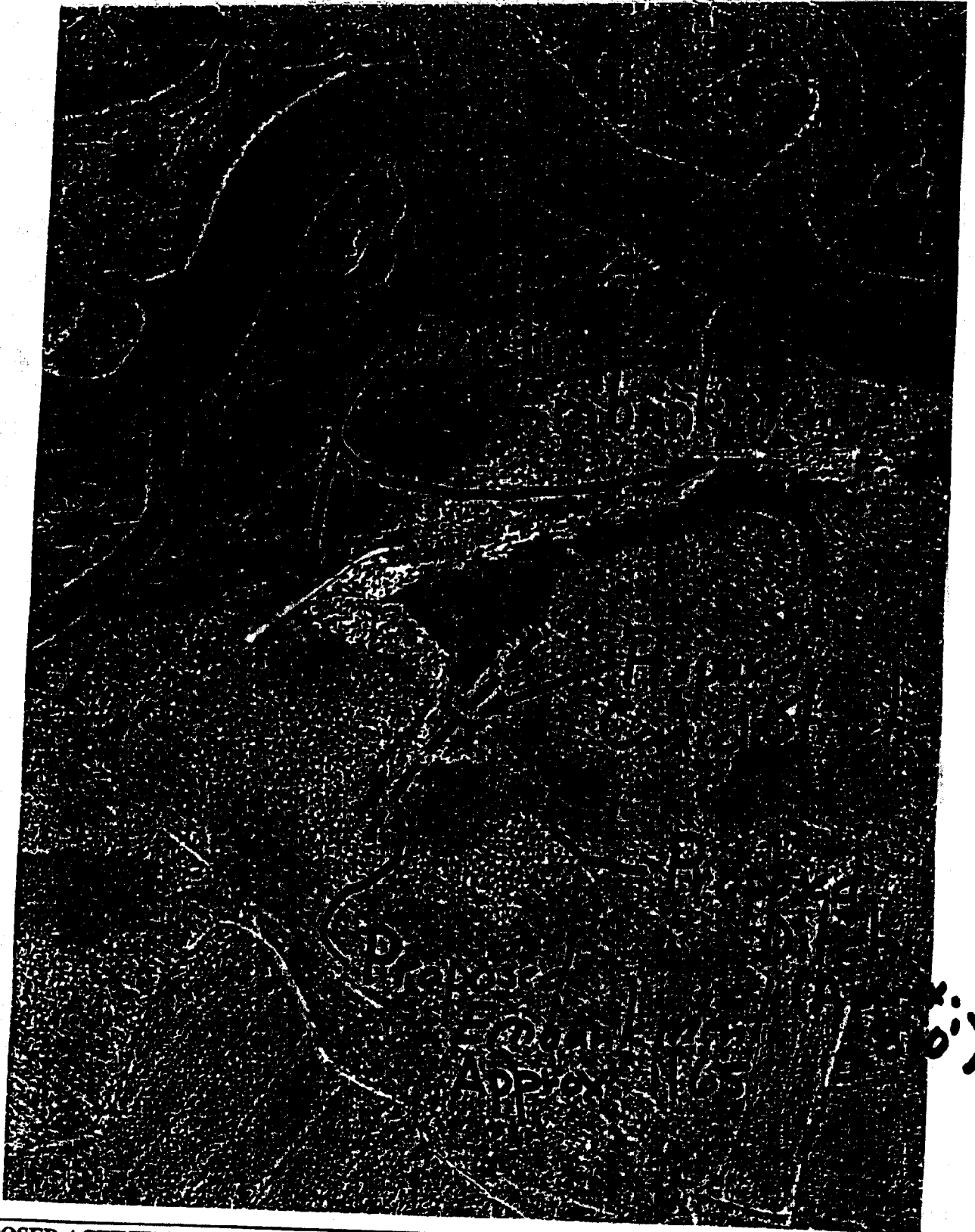
**COUNTY:** Beaufort

**DATE:** February 8, 2005  
**REVISED:** Nov. 14, 2005

**STATE:** South Carolina

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PROPOSED ACTIVITY: Interior Embankment

COUNTY: Beaufort

STATE: South Carolina

*Project Area #2*

APPLICANT: Coosaw Farms, LLC

DATE: February 8, 2005

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Adjacent Property Owners

1. Lightsey Brothers
2. Mildred Bowers
3. Danny Lesene
4. Chip Dobson

*Project Area #3*

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

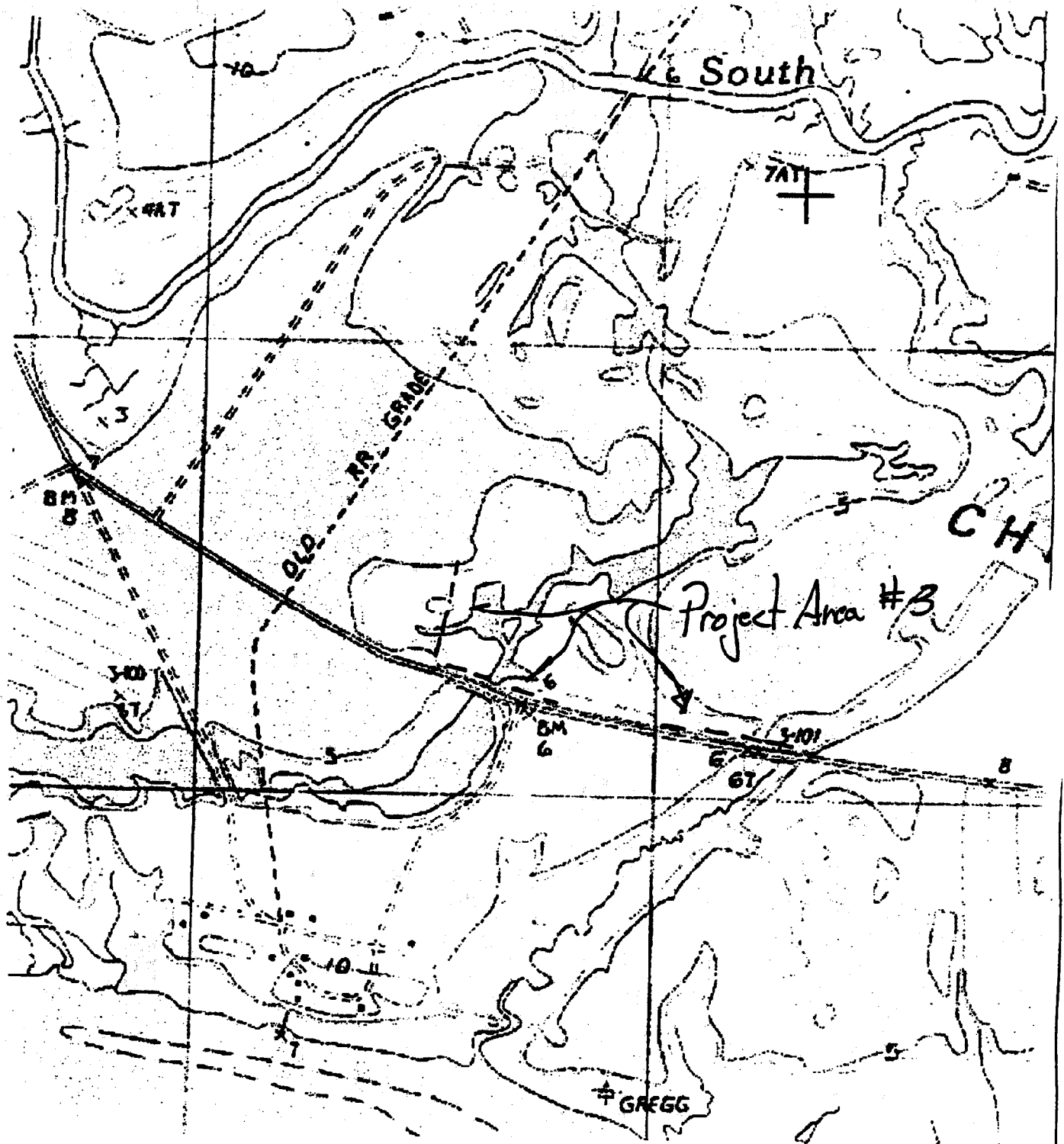
**COUNTY:** Beaufort

**DATE:** February 15, 2005

**STATE:** South Carolina

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### Project Area #3

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

**COUNTY:** Beaufort

**DATE:** February 15, 2005

**REVISED - NOV. 14, 2005**

**STATE:** South Carolina

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### Project Area #3

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

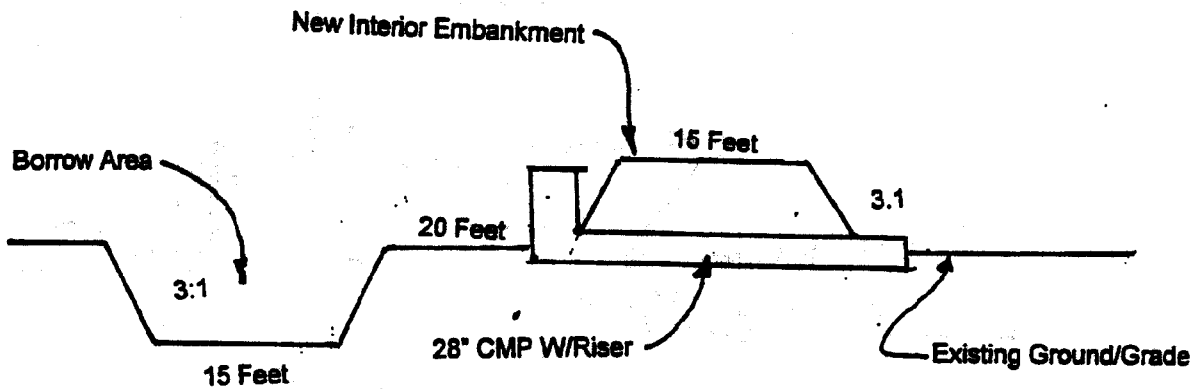
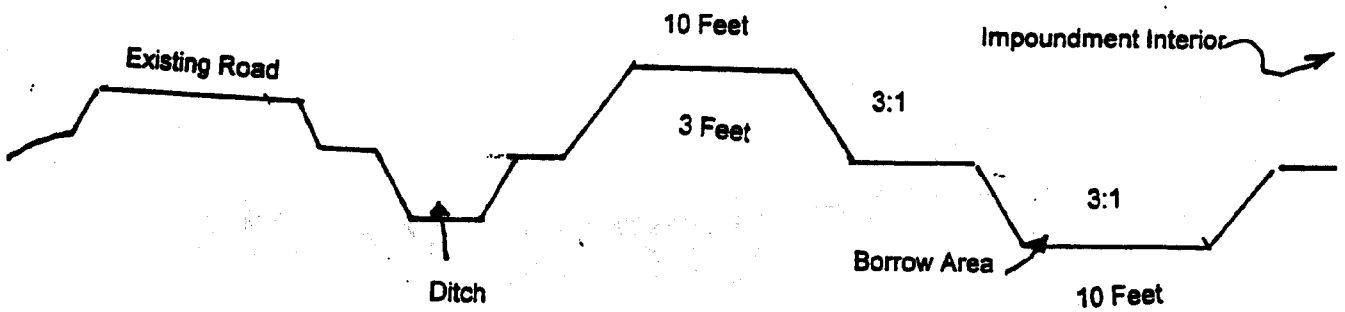
**COUNTY:** Beaufort

**DATE:** February 15, 2005

**STATE:** South Carolina

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## TYPICAL SECTION (Not to Scale)

Note: All proposed work is within an existing intact impoundment.

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

**COUNTY:** Beaufort

**DATE:** February 15, 2005

**STATE:** South Carolina

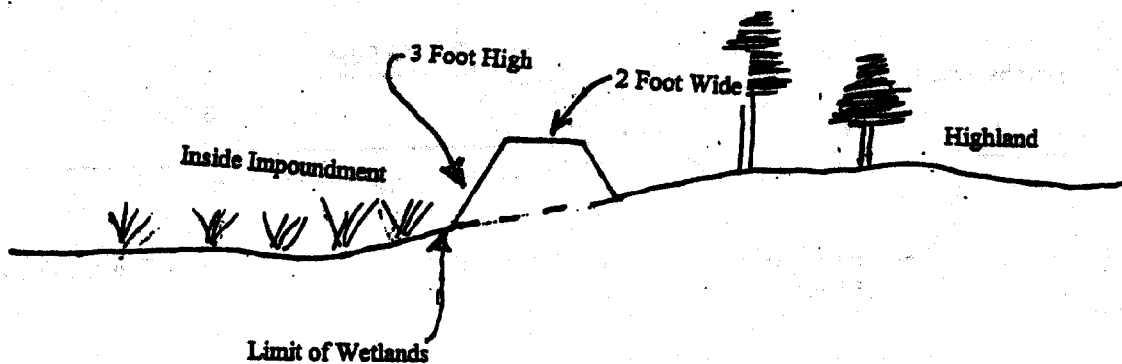
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## Typical Ditch Section

Not to Scale



## Typical Upland Embankment Section

Not To Scale

**PROPOSED ACTIVITY:** Interior Embankment

**APPLICANT:** Coosaw Farms, LLC

**COUNTY:** Beaufort

**DATE:** February 15, 2005

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**REVISED - Nov. 14, 2005**

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